

Mr. Chairman, mining impacts water all across the West. Our river watersheds feel the effects of mining to a great degree. Addressing these impacts requires a comprehensive management approach. My amendment is crafted, and offered today, with this in mind. And it acknowledges that good watershed management is a critical tool of maintaining our natural resource. It recognizes that by protecting watersheds, we are investing in a public good that all Americans use. And it ensures that this public good will be maintained for future generations.

I urge all Members to support my amendment.

Mr. RAHALL. Mr. Chairman, will the gentlewoman yield?

Ms. MATSUI. I yield to the gentleman from West Virginia.

Mr. RAHALL. I thank the gentlewoman from California for yielding and for offering this very important amendment that does improve and enhance our ability to restore abandoned mine lands and waters.

The underlying legislation would establish an abandoned hardrock mining reclamation fund which would be financed by the royalties that were imposed on operations under the mining law of 1872. The gentlewoman's amendment makes it clear that remedial activities could be done on a river watershed basis.

Again, I commend her for offering this amendment, and we are truly ready to accept it.

Ms. MATSUI. I thank the chairman.

Mr. Chairman, I reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Mr. Chairman, I appreciate the gentlewoman's comments.

Again, speaking today, we are wondering if the bill that we are talking about has an effect in all districts. And I would say we have a chart here which shows that rising commodity prices are driving people to stealing copper, stealing our minerals, and it is occurring in many of the districts, including the gentlewoman's district in California, where there has been a prosecution. And we have got 80 of these. We have a chart, but I won't show that.

The concept of cleaning up abandoned mine lands is one that we are deeply encouraged by and associate ourselves with, and especially as it affects watersheds. Nowhere are watersheds more important than in the West, and especially New Mexico, because so little water exists throughout the West. Anything we can do to clean up watersheds in general, but, again, the abandoned mine lands is something that we are very supportive of from this side. It relates back to the comments that we have made in our opening statement that I don't think that on the core issues that we are very far apart at all, that we could have gotten

where we all would agree with the bill. So we would accept the amendment and congratulate the gentlewoman for her work on this in abandoned mine lands and watersheds in general.

I yield back the balance of my time. Ms. MATSUI. I thank the gentleman. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI). The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. HELLER OF NEVADA

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-416.

Mr. HELLER of Nevada. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HELLER of Nevada:

In section 411(b), amend the matter preceding paragraph (1) to read as follows:

(b) ALLOCATION.—Of the amounts deposited into the Hardrock Reclamation Account, 50 percent shall be allocated by the Secretary among the States within the boundaries of which occurs production of locatable minerals from mining claims located under the general mining laws and maintained in compliance with this Act, or mineral concentrates or products derived from locatable minerals from mining claims located under the general mining laws and maintained in compliance with this Act, as the case may be, in proportion to the amount of such production in each such State. Expenditures of the remainder of such amounts shall reflect the following priorities in the order stated:

The CHAIRMAN. Pursuant to House Resolution 780, the gentleman from Nevada (Mr. HELLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HELLER of Nevada. Mr. Chairman, more hardrock mining occurs in my district than in any other State; therefore, the remediation of abandoned mine lands is very important to my constituents.

As many of us are aware, abandoned mine lands are the unfortunate legacy of the irresponsible mining practices of the past. Fortunately, mining operations today are held accountable for their practices. So with bad practices of the past ended, we have an opportunity to focus on cleaning up the abandoned mine lands. And the amendment I am offering will do just that.

My amendment will direct half of the revenues deposited in the hardrock reclamation fund to States for the purposes of abandoned mine land remediation, while preserving the Federal Government's ability to fund the national priorities in the bill. My amendment allows the Federal Government to distribute half of the funds as it sees fit. The other half of the funds would go proportionately to States where production is occurring to fund in-place, successful AML programs.

In multiple committee hearings, we heard that States currently do a great

job of remediating abandoned mine land sites. They often are only limited by their available resources to conduct remediation projects. To give some of you perspective of how effective State programs are, Nevada has identified more than 20,000 AML sites in need of remediation and is still in the process, of course, of identifying more. The good news is that to date we have secured more than 9,000 of those sites.

Likewise, in Colorado it is estimated that there are about 23,000 abandoned mines. More than 6,000 have been made safe by the State Division of Reclamation Mining and Safety.

So in an effort to get money on the ground to remediate abandoned land mine sites quickly and efficiently, a portion of these funds needs to be dedicated to States where production is occurring. Given that many States have already prioritized their AML needs, we should get funding to them as directly as possible, as quickly as possible. This amendment will expedite the cleanup process that we all want.

My amendment bolsters the ability of States to continue their good work on the ground while providing a way to remediate historic hardrock sites in States where mineral production will not generate sufficient funds to deal with current abandoned mine land issues.

I would urge support of the Heller amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I rise only to claim the time in opposition.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Chairman, during debate in committee over this legislation, the gentleman from Nevada conducted himself in a manner which I highly commend. He offered amendments that were aimed at addressing the concerns and interests of his State and his district. And, frankly, I recognize he has the most at stake here, representing Nevada, the largest gold-producing State in the Nation.

The gentleman offered two amendments. The one he is offering today was one of those amendments. In committee, I could not accept it because we had no discussions on it prior to its appearing as an amendment. But we did offer to continue to work with the gentleman from Nevada, as we have done.

And after having some time to consider the subject matter of his amendment, I am going to accept it, and I would urge my colleagues to do likewise.

This amendment would allocate 50 percent of the revenues received from the proposed new abandoned hardrock reclamation fund back to the States where those revenues were generated.

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There is precedent for this arrangement in the Abandoned Mine Reclamation Fund established for coal back in